

THE POULTRY LITTER MANAGEMENT ACT

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Background

The Poultry Litter Management Act would make large chicken companies, or integrators, legally responsible for the manure or “litter” their birds generate and give contract farmers the right to refuse this waste.

Big chicken companies bear no responsibility for the waste they produce. Instead, Maryland taxpayers and farmers are burdened with hundreds of tons of excess poultry litter to dispose of each year. As a result, our fields and waterways, including the Chesapeake Bay, are polluted with too much manure.

Currently, large poultry companies control almost all aspects of the chicken production process. The companies own the birds, control the feed and have complete oversight of on-farm practices. However, the law leaves contract growers with responsibility for disposing of the poultry litter.

The Poultry Litter Management Act is a win-win: The integrator would be required to remove, at no cost to the farmer, any poultry waste above and beyond what can legally be applied on site after notification by the grower. Integrators would be required to follow existing state and federal restrictions regarding proper and safe disposal.



MARYLAND'S
POULTRY WASTE:
WOULD FILL M&T
BANK STADIUM
TWO TIMES
EVERY YEAR

Why Now?

The poultry industry generates an enormous amount of waste each year.

Maryland produces enough poultry litter to fill M&T Bank Stadium TWO times every year. Other factors include:

- Large industrial farms are expanding:
 - 200 new poultry houses are permitted for construction on the Delmarva Peninsula,ⁱⁱ leading to an additional 10 million chickens and about 20 million more pounds of manure per year.ⁱⁱⁱ
 - Approximately 70 of the new poultry houses will be in Somerset County, with Wicomico and Worcester counties also experiencing considerable new growth.^{iv}
- The Maryland Department of Agriculture estimates that 228,000 tons of “excess manure” annually cannot be spread on farm fields because of the serious risk to local waters.^v

Less Pollution

Manure makes good fertilizer, but too much manure applied over decades has left many Eastern Shore fields saturated with phosphorus. Phosphorus pollution ends up in local creeks and rivers, causing dead zones of low oxygen, fish kills, restrictions on shell-fish harvesting and swimming advisories.



AGRICULTURE IS THE SINGLE, LARGEST SOURCE OF POLLUTION TO THE CHESAPEAKE BAY AND MARYLAND WATERWAYS

Agriculture is the single, largest source of pollution to the Chesapeake Bay and Maryland waterways.^{vi} About 44 percent of the nitrogen and 57 percent of the phosphorus polluting the Bay comes from farms, and much of that comes from animal manure.^{vii} A recent U.S. Geological Service Water report finds that the rivers of the Eastern Shore have concentrations of phosphorus that are among the “highest in the nation” due to agricultural operations.^{viii}

The legislation would be the second step of a critical two-step plan to reduce phosphorus pollution from agriculture in Maryland. **In 2015, the Hogan Administration enacted regulations forbidding farmers from over-applying poultry manure on fields. The 2016 legislation would place the cost of properly using, or disposing of, that excess manure in the hands of the big companies, not small farmers or the public.** Growers currently shoulder much of the responsibility, with considerable direct and indirect subsidies from taxpayers.

Public dollars subsidize farmers who plant winter crops that soak up excess nutrients from soybean and corn fields. The cost to taxpayers is about \$20 million a year. In addition, taxpayers contribute to a program that transports some excess manure to safe areas. Those transportation costs are expected to rise significantly as farmers need to find a place for excess litter.

The Poultry Litter Management Act would:



Require chicken companies to pick up all excess manure from their contract growing operations



Allow contract growers to retain the manure necessary to fertilize their own crops



Ensure that chicken companies dispose of excess manure in a way that does not harm the environment or communities



CHESAPEAKE BAY
FOUNDATION
Saving a National Treasure



Chesapeake Bay Foundation, Food & Water Watch, and the Maryland Clean Agriculture Coalition (Anacostia Riverkeeper, Assateague Coastal Trust, Audubon Naturalist Society, Blue Water Baltimore, Center for Progressive Reform, Chesapeake Climate Action Network, Clean Water Action, Environment Maryland, Environmental Integrity Project, Gunpowder Riverkeeper, League of Women Voters of Maryland, Lower Susquehanna Riverkeeper, Maryland League of Conservation Voters, Midshore Riverkeeper Conservancy, Potomac Riverkeeper, Sierra Club–Maryland Chapter, South River Federation, Waterkeepers Chesapeake, West/Rhode Riverkeeper)

ⁱ <http://www.environmentmaryland.org/reports/mde/unsustainable-path-why-marylands-manure-pollution-rules-are-failing-protect-chesapeake>

ⁱⁱ <http://america.aljazeera.com/articles/2015/11/23/maryland-residents-fight-poultry-industry-expansion.html>

ⁱⁱⁱ <http://www.epa.gov/chesapeake-bay-tmdl/epas-assessments-animal-agriculture-programs-chesapeake-bay-watershed>

^{iv} [http://www.actforbays.org/coastkeeper/docs/Pusey packet 5.7.2015.pdf](http://www.actforbays.org/coastkeeper/docs/Pusey%20packet%205.7.2015.pdf)

^v <http://mda.maryland.gov/Documents/pmt-analysis.pdf>

^{vi} <http://www.chesapeakebay.net/issues/issue/agriculture>

^{vii} http://www.progressivereform.org/articles/cafos_1206.pdf

^{viii} <http://pubs.usgs.gov/circ/1406/pdf/circ1406.pdf>